<center>**REMARKS**</center>

Independent Claim 1

Claim 1 is amended to include limitations relating to canceled claims 4 and 6. Claim 1 accordingly recites predicting a data request, and then **pushing** (*i.e.*, sending without receiving a request) the related data to a mobile device on a **periodic basis, independent of receiving a data request from the mobile device**. In contrast, the cited references do not suggest the claimed **pushing** of data independent of receiving a data request, much less on a **periodic basis**.

The Office Action[1] cites Kasriel col. 2, lines 8-11 as teaching the limitation of pushing data "independent of a data request." However, that passage of Kasriel contains no suggestion of this limitation (beyond the generic phrase "or other relevant factors"). In fact, Kasriel teaches away from this limitation by disclosing that his "database" (server) sends "target network objects" (data) to the "web client" (communication device) in response to a web client's "request for the network object to be pre-downloaded." (col. 8, lines 3-4). To ensure receipt of this pre-load request, Kasriel's server first hints/directs/instructs[2] the device (without user's knowledge) to request the download. Kasriel thus teaches away from the claim limitation of **pushing** data without first receiving a data request.

The Office Action[3] cites Kasriel col. 5, lines 33-34 as teaching the claimed **periodic** pushing of data. However, that passage of Kasriel refers to making "periodic changes to the Web-site model graph" which is unrelated to the limitation of periodic pushing of data.

Therefore, claim 1 is patentable over the cited prior art.

New Independent Claim 21

In claim 21, a server predicts what data a communication device's user will request and **pushes** that data to the communication device **without the user or even the device itself first requesting the data**. As explained above, the references of record do not suggest the claimed **pushing** limitation, and Kasriel actually teaches away from it (by his server sending data only in response to a communication device's request, which his server instructs[2] the device to send). Therefore, claim 21 is patentable over the prior art of record.

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[1] p. 6, referring to canceled claim 4
[2] "hints" in col. 3, lines 1-3; "directs" in col. 4, lines 25-27; "instructs" in col. 5, lines 60-62
[3] p. 7, referring to canceled claim 6

New Independent Claim 29

In claim 29, a server **predicts** what data a communication device's user will request and sends that data to the device. The device subsequently **stores** the data and presents the data to the user if and when the user requests it. The device then **informs the server whether the user requested the predicted and subsequently-stored data**.

This **informing** limitation is lacking in the prior art of record. Kasriel's server does keep a record of what websites it sends to a user in response to user requests. It does this in order to, in the future, predict and pre-download a website to the user's device before the user requests it. However, Kasriel's server is never informed afterward whether that predicted/pre-downloaded website was ever requested and viewed by the user as claimed. Therefore, claim 29 is patentable over the prior art of record.

New Independent Claim 32

In claim 32, the server predicts that a user will request particular data at a particular time of day. Claim 32 includes a limitation, lacking in the prior art of record, that the server then sends the data to the device **in response to arrival of that time of day**. Therefore, claim 32 is patentable over the prior art of record.

New Independent Claim 34

In claim 34, a server predicts what data a communication device's user will request. The server also **assesses the cost effectiveness** of pushing that data to the device without first receiving a request for that data from the user. This **cost-effectiveness assessment** is lacking in the prior art of record. Therefore, claim 34 is patentable over the prior art of record.

Dependent Claims 6-9, 22-28, 30-31, 33 and 35-36

The remaining claims all depend from base claims that are explained above to be patentable over the cited prior art. The limitations that the dependent claims add to the base claims distinguish them further from the prior art. Therefore, the dependent claims also are patentable.

For example, dependent claim 9 adds the limitation of using a **Markov chain** module for predicting the data. The passage from Kasriel that the Examiner cites against claim 9 does not suggest the claimed Markov chain model. This limitation thus distinguishes claim 9 further from the prior art.

Depend claims 35 and 36 add the further limitations of an historic states pattern and a maximum number of information units that is time/price efficient, both of which are not suggested in the prior art. These limitations thus further distinguish claims 35-36 from the prior art.

The application is therefore now in condition for allowance, and allowance is requested.

Respectfully submitted,

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Date: 11/28/07